

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

KEITH PLAISANCE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:16-cv-01940-JAR
	)	
	)	MDL No: 2669
AVID LIFE MEDIA, INC., et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**


This matter is before the Court on the parties' Joint Motion to Stay and Compel Arbitration [16]. Upon consideration, the motion is **GRANTED**. The Court further **GRANTS in part** Plaintiff's Motion for Reconsideration of its July 18, 2018 Order [11], for the limited purpose of compelling arbitration in this case and staying proceedings pending judgment on the arbitration award or ruling on any motion to vacate or modify the arbitration award. Accordingly, the Court hereby modifies its July 18, 2018 order closing the MDL proceedings [MDL Doc. No. 390] for the limited purpose of retaining jurisdiction over this case (or any other individual case the Court may identify in a separate order involving plaintiffs who have properly opted-out of the class action settlement) pursuant to the other provisions of this Order. In all other respects, the MDL proceedings, including all proceedings related to the Class Action Settlement, remain closed.

**IT IS FURTHER ORDERED** that: 1) the parties shall arbitrate this case pursuant to the terms of the applicable arbitration agreement contained in the Ashley Madison Terms and Conditions of Use; 2) the arbitration hearing shall take place in New Orleans, Louisiana on a date to be determined by the parties and the arbitrator; 3) the parties have consented to the

jurisdiction of this Court to enter judgment on the arbitration award or to rule on any motion to vacate or modify the arbitration award; and 4) this case is **STAYED** pending the arbitration award and the entry by this Court of judgment on the arbitration award or a ruling by this Court on any motion to vacate or modify the arbitration award; 5) Plaintiff's motion to remand his case back to the U.S. District Court for the Eastern District of Louisiana [9] is **DENIED as moot**; and 6) the parties shall provide a status report to the Court **no later than January 31, 2019** regarding the status of arbitration.

Nothing in this Order shall be construed as precluding the parties from resolving the case outside of arbitration and filing a stipulation of dismissal, with prejudice in this Court.

Dated this 30th day of August, 2018.

  
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JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE